

## SPEAKER'S RULING ON QUESTION OF PRIVILEGE *re* : ADMISSIBILITY OF QUESTIONS AND REPLIES THERETO.

**Mr. SPEAKER.**—There is one more matter raised by Sri K. H. Patil. It is a very simple matter more or less on the lines for which Ruling was given yesterday. That is why, he perhaps, wanted to remind me about it. Hon'ble member, Sri K. H. Patil raised a point saying that under Rule 38, the Speaker has to decide the admissibility of questions and the duty of the Government is to supply the reply as per Rule 40 within 15 days, and if the Government fails to supply the reply within 15 days, it may request the Speaker to fix the time limit of 30 days for supplying the answer. With regard to Question No. 30 (Sl. No. 409) of the Twenty-ninth List, the Question is admitted on 12-4-67 and reply supplied to the Speaker on 7-7-67, but the Hon'ble Minister for Parliamentary Affairs in the reply says that the nature of the Question does not admit of furnishing an immediate reply, etc. He said that this is an act to shirk responsibility of answering the question and also clear violation of relevant rules. I do not know whether it is to be treated as a Point of Order or a breach of Privilege. I am just allowing a little latitude so that members may know the procedure to be followed hereafter. Regarding the matter of questions, it has been time and again said that scope is limited only to put questions, and elicit answers; rightness, wrongness or otherwise does not directly arise. There is no question of privilege arising if (1) answer is not given and (2) the Minister even declines politely and emphatically to give answers, and there is no violation of the rules, because the parliamentary procedure says that the Minister is at liberty not to answer and the Speaker has no right to compel him to answer or take any other action against the Minister under any of the rules for failure of duty. The right to take any steps lies with the Members according to the known methods of parliamentary practice and procedure.

**Sri K. H. PATIL.**—Sir, my point is whether a Minister has a right to reply and whether you have a compelling hand over the Minister. With regard to the admissibility of the question, the Speaker is the supreme authority and no other. The Minister may not reply, but he is bound to submit to Rule 40. He must seek your permission if he does not supply his reply within 15 days, and later on he cannot say that the question does not admit of furnishing an immediate reply, etc.

**Mr. SPEAKER.**—The learned Member puts a new shape so far as I have been able to understand. Even there he is not clear whether it is a Point of Order or a Breach of Privilege. He says that the Minister has no right. But the point is, if the Minister is wrong, equally so the Member is wrong in putting this question. The time of the House should not be expended unless he has got a positive point to be brought under some rule or the other. If it is a Point of Order, I have to yield. Raising a Point of Order without any substance, unduly disturbs the business of the House.